

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 8225

Petition of Sudbury Solar LLC for a certificate of public good,)
pursuant to 30 V.S.A. § 248, authorizing the construction and)
operation of a 2.0 MW solar electric generation facility on)
Vermont Route 30, Sudbury, Vermont)

Order entered: 11/16/2015

ORDER RE REVISED FINAL LANDSCAPING PLAN

On September 3, 2015, the Public Service Board granted a Certificate of Public Good ("CPG") to Sudbury Solar, LLC ("Sudbury Solar") authorizing the construction and operation of a 2.0 MW solar electric generation facility to be located in Sudbury, Vermont, subject to conditions.

Conditions 37 through 39 of the CPG provide:

37. Sudbury Solar shall consult with the property owners referred to by the Town of Sudbury in its recommendation letter, entered into evidence as exhibit SS-ECOS-9, for the purpose of obtaining their input on the final landscaping design.

38. Sudbury Solar shall propose some plantings along the southern edge of the Project site to help soften views of the Project both from the residence south of the Project site and for travelers heading north on Route 30. This condition does not require Sudbury Solar to fully screen views from the south. Sudbury Solar must file its proposal with the Board, and receive Board approval of that proposal, prior to commencing construction. Parties will have one week from the date Sudbury Solar files its proposal to submit comments.

39. Sudbury Solar shall extend the proposed plantings along the western edge of the Project site in a southeasterly direction along the fence line until the point

where the fence turns approximately due east as shown on exhibit SS-MK-2 at figure 2.¹

On October 22, 2015, Sudbury Solar filed its proposed final landscaping plan (the "Plan") intended to comply with the requirements of conditions 37 through 39 of the CPG.

On October 29, 2015, the Department of Public Service ("Department") filed comments requesting that certain revisions be made to the Plan.

On October 30, 2015, the Board issued an Order in which it declined to adopt the recommendations made by the Department and approved the Plan as filed.²

On November 3, 2015, Sudbury Solar filed a revised version of the Plan in which it implemented the Department's recommendations with respect to the composition of species to be planted pursuant to the Plan.

On November 6, 2015, Sudbury Solar submitted a letter to the Board in which it confirmed its intent to implement plantings in accordance with the revised Plan even though the Board had approved the original plan. Sudbury Solar did not accept the Department's recommendation to employ a landscape architect to confirm the implementation and success of the revised Plan.³

We acknowledge Sudbury's Solar's willingness to incorporate the Department's recommendations regarding the composition of the species to be planted into the revised Plan, and the revised version of the Plan filed on November 3, 2015, is approved. We again decline to require Sudbury Solar to retain a landscape architect to monitor and report on the implementation and success of the revised Plan for the same reasons set forth in our October 30, 2015, Order in this Docket.

SO ORDERED.

1. Docket 8225, CPG dated 9/3/15 at 7.

2. Docket 8225, Order of 10/30/15.

3. Letter from Michael Melone to Susan M. Hudson, Clerk of the Board, dated November 5, 2015.

Dated at Montpelier, Vermont, this 16th day of November, 2015.

<u>s/James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/Margaret Cheney</u>)	BOARD
)	
)	OF VERMONT
<u>s/Sarah Hofmann</u>)	

OFFICE OF THE CLERK

FILED: November 16, 2015

ATTEST: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@vermont.gov)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and Order.